

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51711 of 2021

Arising Out of PS. Case No.-33 Year-2019 Thana- DIGHWARA District- Saran

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PINTU RAI @ PINTU GOPE @ TUNTUN KR. @ TUNTUN KUMAR @
LALAK RAI Son of Tippu Rai Resident of Village - Shankarpur, P.S.-
Shahpur, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Rajani Kumari, Advocate

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-03-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363 and 365 of the Indian Penal Code.

As per the prosecution case, the informant received information that his father had been murdered. He states that he made an attempt to contact his father but could not do so. He is convinced that the four named accused persons including the petitioner herein have a hand in the murder.

It is submitted by learned counsel for the petitioner that from perusal of the FIR itself it would transpire that the informant is not an eye-witness to the occurrence. He only



raises an unfounded and unsubstantiated suspicion against the petitioner and others. Referring to the order of the learned Court below and the material that has transpired in course of investigation, it is submitted that it is not even a case of circumstantial evidence. The petitioner is in custody since 27.2.2021 and investigation in the case is complete.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the material that has transpired in course of investigation and the petitioner being in custody for more than 1 year, the Court directs the petitioner to be enlarged on bail in connection with Dighwara P.S. Case no. 33 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M, Saran at Chapra.

(Partha Sarthy, J)

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